3: Evans-Pritchard E-5 (1936) 1950 FL11 Luo FL11



wife dies she ought to be replaced by her sister. The counterpart to this custom of the sororate is the levirate, the raising up of seed to a dead man by one of his brothers. A widow is normally taken by one of her dead husband's brothers, though if she chooses to live with a more distant kinsman of her husband her wishes will be respected. Occasionally she is taken by one of her husband's sons by a different wife, but this is rare and although not *kwer* (forbidden) it is not encouraged because it is thought that the union will not be fruitful. When it happens, it is a young and recently married wife who is taken by the son, sometimes at the express wish of the father. Brothers are the proper mates for widows and the proper guardians of their children. It is customary to get a *jawuu*, Bantu, or *jadak*, a person outside the clan, to sleep with the widow before the brother does so, in case the husband's ghost is troublesome. The trouble will then fall on the Bantu or stranger. 587

It must be clearly understood that the taking of a widow by her dead husband's brother is not a remarriage. No bridewealth is paid, and any children the brother may beget by the widow are called after the dead husband and not after him. The dead husband is their *pater*. His brother is only their *genitor*. If they are girls, it is their brothers and not the man who begat them who receive their bridewealth. The begetter receives only the two animals due to a father's brother, one of which is referred to in these circumstances as the cow of the begetting (*dhor nyolo* or *dhor oding*). Also, one does not use the verb *kendo*, the ordinary word for marrying a wife, in reference to the widow, but *atero* or *alago*, which have the sense of taking a woman to live with her. The widow is *ci liend*, the wife of the grave, that is, the wife of her dead husband.

*Law*

Luo practise very extensive avoidance, as part of a general attitude of respect (*lur*), of their wife's people—whom the husband calls *kaswa* (my in-laws). If a man meets either of his parents-in-law on a path he makes a detour, and if he has to speak to them he does so with his back turned to them, especially when he speaks to his mother-in-law, who also turns her back to him. Even to-day when men wear clothes a son-in-law does not visit his mother-in-law without a strip of hide over his genitals. A man who neglects these rules is said to be *mangatek*, to have strong eyes, and he makes a gift in compensation for his negligence. A man respects the whole lineage into which he has married. He can face the younger people but not their elders. He respects also the older people of the lineage of his wife's maternal uncle, for they are also his *oret*, his in-laws. The husband's brothers respect only his parents-in-law and their immediate kin of their own generation. 606 576 [681]

When the wife has borne a child the rules of avoidance are relaxed and as the years go on and more children are born relations between a man and his parents-in-law become more informal. A ceremony is held, perhaps after the birth of the first child, to enable the husband to enter his mother-in-law's hut and partake of a meal there instead of keeping strictly to the *simbo* on his visits to her home. The wife's parents send the *jagaw* to summon him and his relatives and friends—all those whom the wife calls *kanego*, my husband's people—and when they arrive there are set before them in the mother-in-law's hut a large dish of fish, beer, melted butter, and the cooked meat of an ox killed to celebrate the occasion. They are invited to eat. The husband is silent but his brothers say that they cannot eat till they are given a goat. 606 574

10: Roscoe M-5 (ca. 1900)1915
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*Government.*

643 **Chiefs as rulers.** There is no king of the country, nor is there any single paramount chief; the Bantu chiefs claim equal, if not superior, rights to the land. Certain chiefs rule over extensive districts inhabited by the Nilotics, and their rights as leaders are considered to be hereditary; they are also looked to in cases requiring settlement or legislation.

423 **Land tenure.** Land which has not been cultivated in the past may be tilled by any family; but, when once it has been tilled, the community regard it as the property of the family whose ancestor first cultivated it. Should it be left fallow for a number of years, no other family may appropriate and till it without first obtaining the original owner's permission. Few people seek such permission, preferring to dig virgin-land which will afterwards belong to their children.

621 **Local chiefs as the magistrates.** The people live in communities. They build their houses in close proximity and in most cases surround them with a growing fence, leaving a gateway which can be closed during the night or in times of danger. Such a village group is ruled by a sub-chief who 622 is under the authority of the district-chief. The chief of a village is magistrate and controls the general affairs of his people. This chief levies no taxes, but his people make him presents of goats and sheep, and of grain also at harvest time.

692 **Courts and court fees.** Any person wishing to bring a charge against another for any offence, real or imaginary, 694 pays a small fee to the chief of the village before whom he lays 695 his complaint or accusation. The chief or elder then summons the accused person and appoints a time when the case shall be heard. The chief sits with one or two village elders and gives his judgment. A person may appeal from a village chief to the principal chief in the district, and the elder who first tried the case will then go to the superior chief to be present when the case is reheard. The parties appealing have to pay fresh court-fees before the case is retried. The punish- ● 681 ment in almost every case is a fine and the amount is determined by the gravity of the case. The losing party has to

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681 pay the fine, and from the amount the judge takes a portion for himself and passes the remainder to the successful litigant.

728 627 **Making peace between sections of the tribe.** Should there be a quarrel between two sections of the tribe and a desire be felt to end the strife, the chief of one section goes to the chief of the other with a few of his principal men, and they spend the afternoon and night together discussing the difficulty and finally coming to terms. The following day a goat is killed, some of the contents of the stomach are smeared over the chests of those present, and a little of the meat is pounded in a mortar and eaten as a sacred meal to ratify the terms of peace. As they eat the meal, they promise to live at peace, the form of oath taken being "By the dead dog."

674 789 **Theft.** Cattle lifting is the most common form of serious theft. Men seek to steal cattle from members of the same tribe living at a distance from their own district, because the animals stolen can thus be more easily secreted. A man who intends to rob a kraal first visits the place with his son in order to work magic and to make his preparations. He takes with him a number of sticks pointed and prepared for the magic, and indicates certain spots to his son, who drives a stick into the ground at each place. These are magical sticks which cast a spell upon owners of cattle. The magic is followed up at night by the man's going to the kraal, opening the gate and driving away the cattle while the people are sleeping. Should the animals make any noise or prove stubborn and refuse to leave the kraal, it is a sign that the owners have received some intimation of the intended theft and have taken precautions to make more potent magic to frustrate the robbery. Under [685] such circumstances the cattle-lifter beats a hasty retreat before he is discovered and captured, as he knows that he will receive no quarter, but will certainly be put to death.

Chiefs possessing large herds of cattle take the precaution to keep a supply of powerful medicine over the gateway leading into the kraal, and also place it in various parts of the kraal so that, when a thief enters the kraal, he loses his strength, is unable to walk and so is captured and put to 554 death. A successful cattle-lifter soon becomes a noted man